

**From:** bios@adelphia.net@inetgw  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:49am  
**Subject:** Microsoft Settlement

To whom it may concern,

Greetings. Let me start by stating I feel that Microsoft should be penalized as heavily as possible within the present antitrust proceedings as possible. I feel that the company has shown time and again a lack of respect for both the judicial branch of the american government, and the security/computing needs of its user base.

I am a technically oriented individual, but I will attempt to keep this email as readable as possible.

Over the years I have watched Microsoft take defined and accepted internet standards and craft them to their own ends, to the extent that similar applications using the standard are unable to communicate with the Microsoft application. While this in and of itself is not per se bad, it is when they then begin introducing new applications with this problem and start to push entire product lines out, making it impossible for third party vendors to tie their applications into the given application. This is what creates their monopoly. I don't think that they should be forced to stop creating their software, or even making use of their closed proprietary protocols and standards, but they should be forced to open communications which define a standard interface to those applications.

I see that the present agreement does call for this, but in such a narrow scope as to be irrelevant. With a few minor changes to the way they do things, and the present settlement does nothing to constrain their disrespectful attitude. If anything I believe that the settlement should be unnecessarily broad as opposed to uselessly narrow.

I mean no disrespect to the Justice Department. The individuals within your organization do and know things in regards to the laws which I will never have the time or inclination to understand. But by the same note, there are many individuals in this country and abroad, which know about computers and network communications which the Justice Department individuals have neither the inclination or time to learn about. It is these individuals the Justice Dept. should listen to.

It is very easy for a multi billion dollar corporation to "persuade" people and corporations to state in microsoft's favor. While each email like my own is a statement from the peoples of the Tech/IT industry, which has no deeper political motivation than simply requesting a fair and even judgement, with appropriate penalties for unacceptable behavior in our industry. We work day in and day out with software produced from this software giant, and must constantly deal with its shortcomings. If this settlement could be more than a simple slap on the wrist, and a truly enforceable strict judgement, then the software industry and the technical industry in general could and more than likely would see a huge turnaround and improvement. Imagine if Microsoft were forced to have its code reviewed prior to releasing it out to its customer base. Instead of getting a new and improved version "Windows <place next generation here>" with numerous security issues to be found and exploited by malicious users, you could have the same version a few weeks/months later with possibly more robust and secure features. You then wouldn't have ISPs going bankrupt due to Distributed denial of Service attacks by malicious user who spent 30-45 minutes looking for something fun to do. <see <http://www.ispreview.co.uk>> (Granted the ISP in question was located abroad, but the fact remains that the ISP was shut down, and unable to continue business. I would shudder to see this happen within the US itself, where the economy is hurting as bad as it is right

now.)

I am aware that Microsoft has not been found guilty of being a monopoly, and while I do not agree with that fact, no software company should be able to basically flip the justice dept. the proverbial bird and be able to just shrug it off. This is probably a major turning point within the tech industry, and should be treated with the utmost scrutiny. If we allow them to simply stomp on the ruling now, drag their feet with complying with the terms for a given period, and pick up at full swing at the far end, then what was the point in the first place of raising the issue?

Please do not allow money to overrule justice in this case.

Sincerely,

Eric Concepcion

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